

## EXHIBIT 1



Entered on Docket  
May 29, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:  
  
USA COMMERCIAL MORTGAGE  
COMPANY,  
  
USA CAPITAL REALTY ADVISORS,  
LLC,  
  
USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,  
  
USA CAPITAL FIRST TRUST DEED  
FUND, LLC,  
  
USA SECURITIES, LLC,  
  
Debtors.

) Case No. BK-S-06-10725-LBR  
) Case No. BK-S-06-10726-LBR  
) Case No. BK-S-06-10727-LBR  
) Case No. BK-S-06-10728-LBR  
) Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No. BK-S-06-10725 LBR

Date: April 26, 2007  
Time: 9:30 a.m

**Affecting:**

☐ All Cases

**or Only:**

- ☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

**ORDER SUSTAINING THIRTY-SECOND OMNIBUS OBJECTION OF THE  
USACM LIQUIDATING TRUST TO CLAIMS ASSERTING SECURED STATUS**

The USACM Liquidating Trust (the "USACM Trust") filed its Thirty-Second Omnibus Objection to Claims Asserting Secured Status [DE 3191] (the "Objection") on March 20, 2007. Appropriate notice of the Objection was given. No responses were filed with this Court. The Objection came before the Court for hearing on April 26, 2007 at 9:30 a.m. Good cause appearing, it is

**ORDERED:**

- Sustaining the USACM Trust's Thirty-Second Omnibus Objection to Claims Asserting Secured Status;
- Reclassifying the Proofs of Claim listed on Exhibit A attached as general unsecured claims; and
- Reserving the right of any party in interest, including the USACM Trust, to further object to any and all claims listed on Exhibit A attached as unsecured claims or otherwise, whether or not the subject of this Objection.

###

**PREPARED AND SUBMITTED:**

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)  
Susan M. Freeman  
Rob Charles  
*Attorneys for USACM Liquidating Trust*

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing regarding this matter and/or who filed a written objection and each has:
- ☐ approved the form of this order;
- ☐ waived the right to review the order;
- ☐ failed to file and serve papers in accordance with LR 9021(c); and/or
- ☐ failed to sign and return this proposed order within five (5) business days in accordance with LR 9021(b).
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the form of the order.
- ☒ No opposition was filed and no other party or counsel appeared at the hearing.

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)  
Susan M. Freeman  
Rob Charles  
*Attorneys for USACM Liquidating Trust*

**32nd Objection to Claims Asserting Secured Status - Reclassify as General Unsecured Claims**

|    | <u>Claimant</u>   | <u>Proof of Claim<br/>Number</u> | <u>Date Filed</u> | <u>Proof of Claim<br/>Amount</u> | <u>Proof of Claim<br/>Classification</u> |
|----|---|----------------------------------|-------------------|----------------------------------|--|
| 1  | Wayne Dotson Co Peter Bogart Ceo<br>3 Hidden Lake Ct<br>Bluffton, SC 29910    | 10725-01266                      | 11/10/06          | \$56,500.00                      | S, U                                     |
| 2  | Wayne Dotson Co Peter Bogart Ceo<br>3 Hidden Lake Ct<br>Bluffton, SC 29910    | 10725-01267                      | 11/10/2006        | \$56,000.00                      | S, U                                     |
| 3  | Wayne Dotson Co Peter Bogart Ceo<br>3 Hidden Lake Ct<br>Bluffton, SC 29910    | 10725-01268                      | 11/10/2006        | \$56,000.00                      | S, U                                     |
| 4  | Wayne Dotson Co Peter Bogart Ceo<br>3 Hidden Lake Ct<br>Bluffton, SC 29910    | 10725-01269                      | 11/10/2006        | \$56,000.00                      | S, U                                     |
| 5  | Wayne Dotson Co Peter Bogart Ceo<br>3 Hidden Lake Ct<br>Bluffton, SC 29910    | 10725-01270                      | 11/10/2006        | \$56,000.00                      | S, U                                     |
| 6  | Wayne Dotson Co Peter Bogart Ceo<br>3 Hidden Lake Ct<br>Bluffton, SC 29910    | 10725-01271                      | 11/10/2006        | \$56,000.00                      | S, U                                     |
| 7  | Wayne Dotson CO Peter Bogart Ceo<br>3 Hidden Lake Ct<br>Bluffton, SC 29910    | 10725-01272                      | 11/10/2006        | \$56,000.00                      | S, U                                     |
| 8  | Wayne Dotson CO Peter Bogart Ceo<br>3 Hidden Lake Ct<br>Bluffton, SC 29910    | 10725-01273                      | 11/10/2006        | \$56,000.00                      | S, U                                     |
| 9  | Wayne Dotson Co<br>Peter Bogart Ceo<br>3 Hidden Lake Ct<br>Bluffton, SC 29910 | 10725-01122                      | 11/8/2006         | \$56,000.00                      | S, U                                     |
| 10 | Wayne Dotson Co<br>Peter Bogart Ceo<br>3 Hidden Lake Ct<br>Bluffton, SC 29910 | 10725-01123                      | 11/8/2006         | \$56,500.00                      | S, U                                     |
| 11 | Wayne Dotson Co<br>Peter Bogart Ceo<br>3 Hidden Lake Ct<br>Bluffton, SC 29910 | 10725-01124                      | 11/8/2006         | \$56,000.00                      | S, U                                     |
| 12 | Wayne Dotson Co<br>Peter Bogart Ceo<br>3 Hidden Lake Ct<br>Bluffton, SC 29910 | 10725-01125                      | 11/8/2006         | \$56,000.00                      | S, U                                     |
| 13 | Wayne Dotson Co<br>Peter Bogart Ceo<br>3 Hidden Lake Ct<br>Bluffton, SC 29910 | 10725-01127                      | 11/8/2006         | \$56,000.00                      | S, U                                     |

|    |  |             |            |              |      |
|----|--|-------------|------------|--------------|------|
| 14 | Weaver, John & Colleen<br>9225 Cordoba Blvd<br>Sparks, NV 89436-7235   | 10725-00410 | 10/2/2006  | \$22,894.49  | S    |
| 15 | Weaver, John<br>9225 Cordoba Blvd<br>Sparks, NV 89436  | 10725-00411 | 10/2/2006  | \$100,000.00 | S    |
| 16 | Weber, Heinrich & Brigitte<br>2099 Westglen Ct<br>Reno, NV 89523   | 10725-00067 | 6/19/2006  | \$152,050.00 | S    |
| 17 | Weicherding, Gary<br>4960 Harrison Dr #107<br>Las Vegas, NV 89120  | 10725-01260 | 11/10/2006 | \$53,500.00  | S, P |
| 18 | Welcher, Andrew<br>C/O William E Winfield Esq<br>Nordman Cormany Hair & Compton Llp<br>1000 Town Center Dr, 6Th Fl<br>Oxnard, Ca 93030 | 10725-00148 | 8/15/2006  | Unliquidated | S    |
| 19 | Westbrook, Connie<br>14320 Ghost Rider Dr<br>Reno, NV 89511  | 10725-01922 | 1/10/2007  | \$148,453.92 | S, U |
| 20 | Whitehurst Fund Llc<br>C/O Linda Kelly Carson Manager<br>Po Box 8927<br>Aspen, CO 81612-8927   | 10725-00460 | 10/5/2006  | \$100,000.00 | S    |
| 21 | Whitman An Umarried Man, H Daniel<br>Po Box 10200<br>Zephvr Cove, NV 89448   | 10725-00210 | 8/25/2006  | \$29,369.00  | S    |
| 22 | Whitman Trust The<br>H Daniel Whitman Trustee<br>Po Box 10200<br>Zephvr Cove, NV 89448   | 10725-01232 | 11/9/2006  | \$50,000.00  | S    |
| 23 | Whitman Trust The<br>H Daniel Whitman Trustee<br>Po Box 10200<br>Zephvr Cove, NV 89448   | 10725-01238 | 11/9/2006  | \$50,000.00  | S    |
| 24 | Whitman Trust The<br>Whitman Ttee<br>Po Box 10200<br>Zephvr Cove, NV 89448   | 10725-01400 | 11/13/2006 | \$50,000.00  | S    |
| 25 | Whitman Trust<br>Daniel H Whitman Trustee<br>Po Box 10200<br>Zephvr Cove, NV 89448   | 10725-01229 | 11/9/2006  | \$25,000.00  | S    |
| 26 | Whitman Trust<br>H Daniel Whitman Ttee<br>Po Box 10200<br>Zephvr Cove, NV 89448  | 10725-00211 | 8/25/2006  | \$25,000.00  | S    |
| 27 | Whitman, H Daniel<br>Po Box 10200<br>Zephvr Cove, NV 89449   | 10725-01236 | 11/9/2006  | \$28,804.73  | S    |

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|----|--|-------------|------------|--------------|------|
| 28 | Wikelis, Lynn<br>Po Box 642<br>Buellton, CA 93427  | 10725-00543 | 10/10/2006 | \$53,104.00  | S    |
| 29 | Willaim S. Reeves<br>2930 E. Serene Ave.<br>Henderson, NV 89074-6536   | 10725-00657 | 10/23/2006 | \$50,000.00  | S    |
| 30 | William & Waltruud Schneider Family Tr<br>135 Clearview Dr<br>Carson City, NV 89701-6698   | 10725-00379 | 10/2/2006  | \$250,000.00 | S    |
| 31 | William B Fraser & Judy A Garrett<br>1250 E Ave J #2<br>Lancaster, CA 93535  | 10725-01240 | 11/10/2006 | \$50,000.00  | S    |
| 32 | William Daniel Carter Ttee<br>8710 54Th Ave E<br>Bradenton, FL 34211-3704  | 10725-01299 | 11/13/2006 | \$107,998.34 | S    |
| 33 | William Kostechko Revocable Trust Dtd<br>10/31/05<br>C/O William Kostechko Trustee<br>5415 W Harmon Ave<br>Unit 1035<br>Las Vegas, NV 89103-7013 | 10725-00559 | 10/12/2006 | \$100,000.00 | S    |
| 34 | William W & Betty R Ogren<br>22102 Shannondell Dr<br>Audubon, Pa 19333   | 10725-00384 | 10/2/2006  | \$100,000.00 | S    |
| 35 | William W & Teresa H Lee 2003 Family Tr<br>C/O Teresa H Lee Trustee<br>9050 Double R Blvd Apt 421<br>Reno, NV 89521-4850                         | 10725-01652 | 11/28/2006 | \$150,000.00 | S    |
| 36 | William W & Teresa H Lee Family Trust<br>C/O Teresa H Lee Trustee<br>9050 Double R Blvd Apt 421<br>Reno, Nv 89521-4850                           | 10725-01650 | 11/27/2006 | \$150,000.00 | S    |
| 37 | Williams, Susan Marie<br>Po Box 9270<br>Truckee, CA 96162  | 10725-00975 | 11/3/2006  | \$70,000.00  | S    |
| 38 | Wimsatt Trust Dated 10/19/04<br>C/O Linda J. Wimsatt, Trustee<br>4920 Amador Dr.<br>Oceanside, CA 92056-4971                                     | 10725-00658 | 10/23/2006 | \$81,750.00  | S    |
| 39 | Winkler Family Trust<br>Rudolf & Carmel Winkler Ttees<br>10000 Rossbury Pl<br>Los Angeles, CA 90064  | 10725-02279 | 1/12/2007  | \$605,317.99 | S, U |
| 40 | Winkler Family Turst<br>Carmel Winkler Trustee<br>10000 Rossbury Pl<br>Los Angeles, CA 90064   | 10725-02280 | 1/12/2007  | \$130,215.22 | S, U |
| 41 | Winkler IRA, Rudolf<br>10000 Rossbury Pl<br>Los Angeles, CA 90064-4826   | 10725-02278 | 1/12/2007  | \$325,900.11 | S, U |

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|----|---|-------------|------------|--------------|------|
| 42 | Wisch, Craig<br>210 Andrew Ave<br>Nauquatuck, Ct 06770  | 10725-02010 | 1/10/2007  | \$158,684.64 | S, U |
| 43 | Wisch, Craig<br>210 Andrew Ave<br>Nauquatuck, CT 06770  | 10725-02180 | 1/12/2007  | \$158,684.64 | S, U |
| 44 | Wm W & Teresa H Lee 2003 Family Trust<br>Dtd 6/26/03<br>C/O Teresa H Lee Trustee<br>9050 Double R Blvd Apt 421<br>Reno. Nv 89521-4850 | 10725-01493 | 11/27/2006 | \$150,000.00 | S    |
| 45 | Wolf, Edgar<br>3868 Carlton Dr<br>Atlanta, Ga 30341   | 10725-00655 | 10/23/2006 | \$38,227.32  | S    |
| 46 | Wolken, Stan<br>598 Lariat Cir<br>Incline Village, NV 89451   | 10725-01308 | 11/13/2006 | \$50,000.00  | S    |
| 47 | Wonders, Marlin L & R Yvonne<br>Po Box 2262<br>Overgaard, AZ 85933  | 10725-01451 | 11/16/2006 | \$50,000.00  | S    |
| 48 | Wonders, Marlin L & R Yvonne<br>Po Box 2262<br>Overgaard, Az 85933-2262   | 10725-00742 | 10/26/2006 | \$50,000.00  | S    |
| 49 | Wood, Raul A<br>5211 N Lisa Ln<br>Las Vegas, NV 89149-4647  | 10725-00877 | 10/31/2006 | \$407.85     | S    |
| 50 | Wood, Raul<br>5211 N Lisa Ln<br>Las Vegas, NV 89516   | 10725-00875 | 10/31/2006 | \$13,736.70  | S    |